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General Assembly

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Agenda item 19

Resolution adopted by the General Assembly

[*on the report of the Special Political and Decolonization Committee (Fourth Committee) (A/58/480)*]

58/109. Question of Western Sahara

The General Assembly,

Having considered in depth the question of Western Sahara,

Reaffirming the inalienable right of all peoples to self-determination and independence, in accordance with the principles set forth in the Charter of the United Nations and General Assembly resolution 1514 (XV) of 14 December 1960 containing the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Recalling its resolution 57/135 of 11 December 2002,

Recalling also all resolutions of the General Assembly and the Security Council on the question of Western Sahara,

Recalling further Security Council resolutions 658 (1990) of 27 June 1990 and 690 (1991) of 29 April 1991, by which the Security Council approved the settlement plan for Western Sahara,[1]

Recalling Security Council resolutions 1359 (2001) of 29 June 2001 and 1429 (2002) of 30 July 2002, as well as resolution 1495 (2003) of 31 July 2003, in which the Council expressed its support of the peace plan for self-determination of the people of Western Sahara[2] as an optimum political solution on the basis of agreement between the two parties,

Taking note of the responses of the parties and neighbouring States to the Personal Envoy of the Secretary-General, concerning the peace plan, contained in the report of the Secretary-General of 23 May 2003,[3]

Reaffirming the responsibility of the United Nations towards the people of Western Sahara,

[1] See S/21360 and S/22464 and Corr.1.

[2] S/2003/565 and Corr.1, annex II.

[3] S/2003/565 and Corr.1.

Noting with satisfaction the entry into force of the ceasefire in accordance with the proposal made by the Secretary-General,[4] and stressing the importance it attaches to the maintenance of the ceasefire as an integral part of the settlement plan,

Underlining, in this regard, the validity of the settlement plan, while noting the fundamental differences between the parties in its implementation,

Stressing that the lack of progress in the settlement of the dispute on Western Sahara continues to cause suffering to the people of Western Sahara, remains a source of potential instability in the region and obstructs the economic development of the Maghreb region and that, in view of this, the search for a political solution is critically needed,

Welcoming the efforts of the Secretary-General and his Personal Envoy in search of a mutually acceptable political solution, which will provide for self-determination of the people of Western Sahara,

Having examined the relevant chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,[5]

Having also examined the report of the Secretary-General,[4]

1. *Takes note* of the report of the Secretary-General;[4]

2. *Underlines* Security Council resolution 1495 (2003), in which the Council expressed its support of the peace plan for self-determination of the people of Western Sahara as an optimum political solution on the basis of agreement between the two parties;

3. *Continues to support strongly* the efforts of the Secretary-General and his Personal Envoy in order to achieve a mutually acceptable political solution to the dispute over Western Sahara;

4. *Commends* the Secretary-General and his Personal Envoy for their outstanding efforts and the two parties for the spirit of cooperation they have shown in the support they provide for those efforts;

5. *Calls upon* all the parties and the States of the region to cooperate fully with the Secretary-General and his Personal Envoy;

6. *Reaffirms* the responsibility of the United Nations towards the people of Western Sahara;

7. *Calls upon* the parties to cooperate with the International Committee of the Red Cross in its efforts to solve the problem of the fate of the people unaccounted for, and calls upon the parties to abide by their obligations under international humanitarian law to release without further delay all those held since the start of the conflict;

8. *Requests* the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial

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[4] See A/58/171.

[5] See A/58/23 (Part II), chap. VIII. For the final text, see *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 23*.

Countries and Peoples to continue to consider the situation in Western Sahara and to report thereon to the General Assembly at its fifty-ninth session;

9. *Invites* the Secretary-General to submit to the General Assembly at its fifty-ninth session a report on the implementation of the present resolution.

72nd plenary meeting
9 December 2003